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UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re:

JAMIE LYNN GALLIAN,

Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

Adv. No. 8:21-ap-01095-SC

**MOTION TO CONTINUE PRE-TRIAL
CONFERENCE**

THE HUNTINGTON BEACH GABLES
HOMEOWNERS ASSOCIATION, a California
nonprofit mutual benefit corporation,

Plaintiff,

vs.

JAMIE L GALLIAN, an individual,

Defendants.

Pre-Trial Conference

Hearing Date: June 27, 2023

Time: 1:30 p.m.

Courtroom: 5C

**TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES
BANKRUPTCY JUDGE, AND ALL PARTIES ENTITLED TO NOTICE:**

This Motion to Continue Pre-Trial Conference (the “Motion”) is filed by Plaintiff, The Huntington Beach Gables Homeowners Association (“Plaintiff”). This Motion is made with reference to the following recitals:

RECITALS

1. On or about July 9, 2021, Jamie Lynn Gallian (“Debtor”) filed a voluntary petition under Chapter 7 of the Bankruptcy Code.

2. On October 18, 2021, Plaintiff filed a Complaint (the “Complaint”) to (1) Set Aside Voidable Transfer; (2) for Declaratory Relief Establishing Validity of Lien, (3) to Object to Discharge Under Section 523(a)(2) (Actual Fraud), and (4) to Object to Discharge Under Section 727(a)(5), initiating the above captioned adversary proceeding on October 18, 2021 (the “Adversary Proceeding”).

3. This Adversary Proceeding is one of several pending against Debtor.

4. On May 23, 2023, in *Houser Bros. Co. v. Gallian*, Adv. No. 8:21-ap-01097-SC, the Court entered judgment for Houser Bros. Co. and against Debtor for denial of discharge under 11 U.S.C. §§ 727(a)(2)(A), (a)(4), and (a)(5). The judgment is currently on appeal. If the judgment is affirmed on appeal, this action will be moot.

5. Accordingly, Plaintiff would like to continue the pre-trial conference to a date in December 2023 or to a later date that is convenient to the Court.

6. The Motion does not constitute a waiver of any rights.

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CONCLUSION

WHEREFORE, based on the foregoing recitals, Plaintiff requests the hearing on the Pre-Trial Conference to be continued to a date in December 2023 or as the Court deems appropriate.

Dated: June 6, 2023

Respectfully submitted,

GOE FORSYTHE & HODGES LLP

By: /s/ Brandon J. Iskander
Robert P. Goe
Brandon J. Iskander
Attorneys for Huntington Beach Gables
Homeowners Association

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 17701 Cowan Avenue, Suite 210, Building D, Irvine, CA 92614

A true and correct copy of the foregoing document entitled (*specify*): **MOTION TO CONTINUE PRE-TRIAL CONFERENCE** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) June 6, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com;goeforecf@gmail.com
- **Jeffrey I Golden (TR)** lwerner@go2.law, jig@trustesolutions.net;kadele@go2.law;C205@ecfcbis.com
- **Brandon J Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Mark A Mellor** mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL:

On (*date*) June 6, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows: Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Jamie Lynn Gallian
16222 Monterey Ln Unit 376
Huntington Beach, CA 92649

Michael D Poole
Feldsott & Lee
23161 Mill Creek Dr Ste 300
Laguna Hills, CA 92653

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:

(*state the method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) June 6, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows: Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

- The Honorable Scott Clarkson, USBC, 411 West Fourth Street, Santa Ana, CA 92701
- (SUSPENDED DUE TO COVID-19 PROTOCOLS)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 6, 2023

Kerry A. Murphy

/s/Kerry A. Murphy

Date

Printed Name

Signature